

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-5 are pending in this application. No new matter is added.

In the outstanding Office Action, Claims 1-5 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. 7,305,170 (Okada) in view of U.S. 6,021,250 (Hyodo) and U.S. 5,708,637 (Umemura).

As previously noted in the record, according to the claims, the header area is contiguous and includes access block size information for each access block and output time information for a leading frame of each access block, whereas the data area, which is also contiguous, includes size information for frames other than the leading frame and output time information for the frames other than the leading frame along with each access block.

The Examiner previously indicated that, in the context of the data area and header areas each being contiguous,¹ the prior rejections over Okada, Hyodo and Suzuki appeared to be overcome. The current Office Action issues a new rejection which removes Suzuki as a relied upon reference and adds Umemura. It is respectfully submitted Umemura fails to remedy the deficiencies of the previously relied upon art, and the rejection should thus be withdrawn for at least the following reasons.

Applicants respectfully submit none of the art of record discloses the claimed contiguous data and header areas. In particular, none of the art of record describes a contiguous header area as having recorded therein an access block size information for each access block and output time information or leading frame for each access block, where the contiguous data area has recorded therein size information for frames other than the leading

¹ See, e.g., Figures 2-3 and 9-10.

frame and output time information for the frames other than the leading frame along with each access block of content.

The Office Action at page 4 acknowledges Okada and Hyodo are deficient in the above-identified features in the claims. However, Umemura is relied upon to describe these features. In particular, Figures 2-4, column 5, lines 1-3, 10-15 and 28-40 are relied upon to describe these features. However, it is respectfully submitted Umemura does not describe the features which are relied upon in the Office Action. In part, it is respectfully submitted Figure 3 contains typographical errors which have resulted in the misapplication of Umemura in the Office Action.

Figure 3 shows sector header area SH₁, SH₂ and SH₃. Umemura states that each of these sector header areas is for storing contents of the sector in which the sector header area is included and data for indicating the position of the entire frame data FD.² Figure 2 of Umemura shows the sequential recording of frame data FD₁₋₅.

Figure 3 also shows sector **data** areas SD₁₋₃. Figure 3 incorrectly identifies these sector areas as “header” areas. As identified at column 5, line 12 and the sections following in the specification of Umemura, each of SD₁₋₃ refer to sector **data** areas, **not header areas**. Thus, Figure 3 incorrectly identifies these areas as header areas. As a result, Figure 3 of Umemura describes a plurality of sector header areas separated by a plurality of sector data areas - that is, Umemura describes discontinuous data and header areas. In other words, Umemura merely describes a plurality of sector header areas SH as including various header items,³ where each sector header area concerns a sector data area SD which **immediately follows** the sector header area, which is then followed by another sector header area SH.⁴ Consequently, Umemura does not describe the claimed contiguous data and management areas.

² Umemura, column 5, lines 13-15.

³ Umemura, Figure 4.

⁴ Umemura, Figure 3.

Therefore, since none of the art of record discloses or reasonably suggests the above-discussed features of the claims, either individually or in combination, it is respectfully submitted the pending claims are allowable over the art of record. Withdrawal of the outstanding rejection is thus respectfully requested.

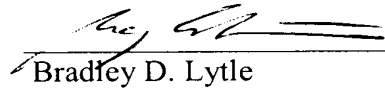
Consequently, since no other issues are pending in this application, it is respectfully submitted this application is in condition for allowance. Should the Examiner disagree, the Examiner is encouraged to contact the undersigned to discuss any remaining issues. Otherwise, a timely notice of allowance is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 07/09)



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Marc A. Robinson
Registration No. 59,276